



P-122896.1(uti)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application Of: §

Gregory Dee Hawley et al §

Application Ser.No. 10/718,167 §

Filed: November 20, 2003 §

A Percussion Hammer Bit Retainer §
Apparatus

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

INFORMATION DISCLOSURE STATEMENT

1. Pursuant to 37 C.F.R. §§1.97-1.99, Applicant hereby submits reference of which he or she is aware that may be material to the examination of this application, and of which there may be a duty to disclose in accordance with 37 C.F.R. § 1.56. The filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b), nor shall the filing of this Information Disclosure Statement be construed as a representation that a search has been made.

2. The references are listed on the accompanying Forms PTO-1449, and a copy of each reference is provided herewith.

3. This Information Disclosure Statement:

☐ Accompanies a new patent application submitted herewith.

☐ Is being filed within 3 months after the filing date of the application.

☒ Before the mailing date of a first Office Action on the merits.

☐ After each of the above, but before the mailing date of either a final action or Notice of Allowance and is accompanied by a:

- ☐ Certification, or
- ☐ 240 fee (37 C.F.R. § 1.17(p)).

☐ After all of the above, but before payment of the Issue Fee. The Statement is accompanied by a certification and a petition requesting consideration of the Statement and a petition fee of \$130 (37 C.F.R. § 1.17(i)(1)).

4. The U.S. Patent and Trademark Office is hereby authorized to charge any fees, if any, or discrepancies in fees required, to Deposit Account **07-2400**.
5. The foregoing references are, in the opinion of undersigned counsel based on information supplied by the inventor, the most pertinent prior art of which undersigned counsel or Applicant has knowledge.
6. Undersigned counsel hereby requests a telephone conference with the Examiner if there are any questions. It is respectfully requested that the references be considered by the Examiner, be made a part of the official record, and be cited in the issued patent.

Respectfully submitted,

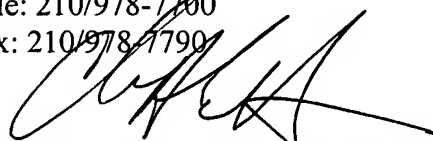
JACKSON WALKER L.L.P.

112 E. Pecan, Suite 2100

San Antonio, Texas 78205

Tele: 210/978-7700

Fax: 210/978-7790



Cline H. White, Reg. No. 45,213

CERTIFICATE OF MAILING

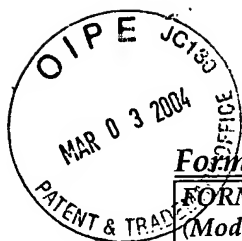
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service in an envelope addressed to the "Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, as follows:

<u>37 CFR 1.8(a)</u>	<u>37 CFR 1.10</u>
<input checked="checked" type="checkbox"/> With sufficient postage as First Class Mail. Date: February 25, 2004	<input type="checkbox"/> As "Express Mail Post Office to Addressee", Mailing Label No. _____ Date: _____, 2004

Carolyn Gill

Printed Name of Person Mailing Paper or Fee


Signature of Person Mailing Paper or Fee

**Form PTO-1449 (Modified)**

FORM PTO-1449 (Modified)		U.S. Dept. of Commerce Patent & Trademark Office						
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)				ATTY DKT. NO.: P- 122896.1				
(37 CFR 1.98(b))								
APPLICANT: Charles Albert McNamara.				ISSUE DATE: May 11, 1999				
U.S. PATENT DOCUMENTS								
Examiner Initial		Patent Number	Issue Date		Patentee	Class	Sub-class	Filing Date If Appropriate
		6,516,903	11 Feb 2003		Rogers			
		6,070,678	6 June 2000		Pascale			
		6,021,856	8 Feb 2000		Pascale			
		Re. 36,002	22 Dec 1998		Elsby, et al			
		5,803,192	8 Sep 1998		Holte			
		5,699,867	23 Dec 1997		Jones			
		5,647,447	15 Jul 1997		Jones			
		5,390,749	21 Feb 1995		Lyon			
		5,065,827	19 Nov 1991		Meyers et al			
		4,726,429	23 Feb 1988		Kennedy			
		4,474,488	2 Oct 1984		Pinkerton, et al			
		412,447	8 Oct 1889		Archbold			
FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION								
		WO 98/05476	12 Feb 1998		Moir et al	Class	Sub-Class	Translation Yes No
OTHER DOCUMENTS (Including Author, Title, Date, Relevant Pages, Place of Publication) and OTHER MATERIALS								
EXAMINER				DATE CONSIDERED				
EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.								